

Remarks

The specification has been amended to add section headings.

The indication that claims 19-20 and 24-26 have been allowed and that claims 12-13, 16-18 and 21-23 include patentable subject matter is acknowledged with thanks.

Claims 3-10 and 21-23 were rejected under §112, second paragraph. Claims 2-10, 14, 18 and 21-24 have been amended solely as to form. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1-11 and 14-15 were rejected as unpatentable over HARDER WO 95/00730. Reconsideration and withdrawal of the rejection are respectfully requested. Please note that HARDER corresponds to FI-956192 discussed on page 2 of the present application.

Claim 1 is directed to an embodiment of the present invention that includes, among other features, dampening projections that are made of a foamed polymer or polymer mixture and that are bonded "by effect of its/their material properties at the time for manufacture" (emphasis added) to the first surface of the first sheet material.

HARDER discloses plastic bodies 6 attached to a fiber layer 4 coated with a bituminous layer 5. As is well known, a bituminous layer is adhesive. Further, plastic bodies 6 are not

disclosed to have any material properties that would affect the bonding of the plastic bodies 6 to the fiber layer 4. The bituminous layer 5 is provided to bond the plastic bodies 6 to the fiber layer 4. Accordingly, the plastic bodies 6 are bonded by the bituminous layer 5, not by effect of their material properties, to the fiber layer 4. Since HARDER does not disclose this feature of claim 1, there is no motivation, suggestion, teaching, or reason for modifying HARDER to include the claimed dampening projections.

HARDER teaches the use of a granulate that includes plastic beads 6 having a diameter of between 3 to 4 mm (page 3, lines 29-32). Contrary to this kind of round granulate, claim 1 defines that the dampening projections are continuous or intermittently continuous strips.

HARDER teaches that the plastic beads 6 are partially embedded in the bituminous layer 5 (page 4, lines 16-19), whereupon the under surface of the support material is not flat, but clearly undulating as can be seen from the figure of the publication. Contrary to this embedded configuration, claim 1 defines that the first surface of sheet material, to which surface the dampening projections are bonded, extends continuously and flat beneath the dampening projections and in the area between them.

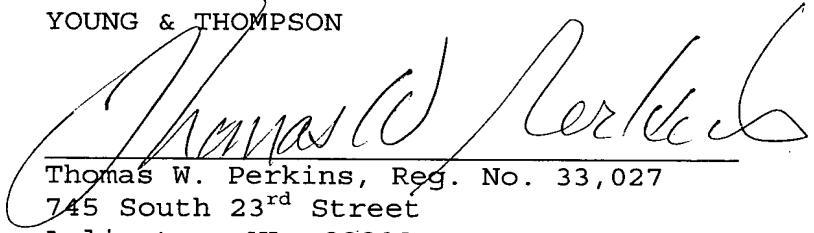
Some of the disadvantages of the support material according to HARDER are disclosed in the description of the present application at page 2. The black dirty marks in walls of the rooms originating from the bituminous layer during installation of the support material are added because of the maintained adhesive properties of the bitumen. The small diameter of the round granulates, easily compressed under the parquet floor because of the loads on it, especially together with their embedded configuration in the bituminous layer, causes a too shallow a space between the underside of the support material and the upper surface of the supporting floor, whereupon the moisture evaporating from the concrete of the supporting floor structure is not able to go away, but stays trapped causing severe further problems. HARDER does not teach any measures to solve these problems.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

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TWP/lrs